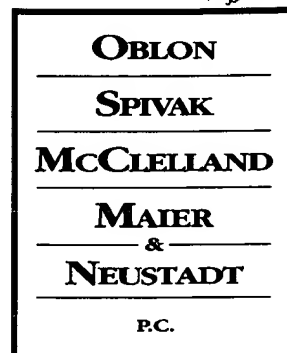




Docket No.: 216057US2



ATTORNEYS AT LAW

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COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/987,520

Applicants: Takahisa KOIKE

Filing Date: November 15, 2001

For: INFORMATION DELIVERING SYSTEM,
INFORMATION DELIVERING METHOD, AND
COMPUTER PRODUCT

Group Art Unit: 2852

Examiner: CHEN, SOPHIA S

SIR:

Attached hereto for filing are the following papers:

Provisional Election

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

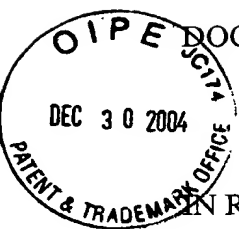
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DOCKET NO: 216057US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

TAKAHISA KOIKE

SERIAL NO: 09/987,520

FILED: NOVEMBER 15, 2001

FOR: INFORMATION DELIVERING
SYSTEM, INFORMATION DELIVERING
METHOD, AND COMPUTER PRODUCT

:

: EXAMINER: CHEN, SOPHIA S

:

: GROUP ART UNIT: 2852

:

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election Requirement dated December 2, 2004, Applicant elects with traverse Species I, Claims 1-9. Applicant makes this election based on the understanding that Applicant is not prejudiced against filing one or more divisional applications that cover the non-elected claims.

In addition to making this election, Applicant respectfully traverses this Election Requirement for the reason that MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

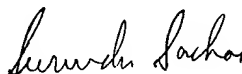
The claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicant respectfully traverses the Election Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the

Examiner, whereas it would clearly be burdensome on Applicant to be required to file, prosecute and maintain separate applications and patents on the identified.

Accordingly, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-38 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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